

ISD-CBO Update

November 27, 2001

Following the monthly national meeting held between Community Based Organizations (CBOs) and the Immigration Services Division (ISD) in Washington, D.C., ISD presents notes from the meeting that capture what was said and what questions were asked. While the notes are not intended to be verbatim, they do represent the topics covered.

Budget

Bill Yates, Deputy Executive Associate Commissioner, opened the meeting by thanking representatives of the CBOs for their efforts to ensure that INS will receive the budget it needs from Congress to attack backlogs aggressively, continue implementation of the LIFE program, and make needed process and systems improvements. The President signed the fiscal year 2002 Commerce, Justice, State, and the Judiciary Appropriations Bill into law on November 28, 2001. The approved budget provides \$100 million for backlog reduction which includes \$80 million in direct appropriations that will be used to hire INS and contractor personnel in district and service center offices, as well as to provide employee overtime. Additionally, the FY 2002 Appropriations Bill did not include any program transfers by Congress that would have required the ISD to spend its fee revenues on items not currently covered by the Examinations Fee Account.

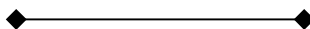
Restructuring Plan

Mr. Yates reviewed the basics of the Bush Administration's Restructuring Plan that is supported by the Commissioner, the Attorney General, the Office of Management and Budget, the Office of Homeland Security, and the White House. Representatives of the INS, including Mr. Yates, are meeting with Members of Congress to review and explain the plan. Significant features of the plan include the following:

- ✓ The INS will remain a single agency but have two bureaus--one for enforcement and one for benefits.
- ✓ The Bureau of Immigration Services will have six service areas based in: Tampa/St. Petersburg, Florida; St. Albans, Vermont; Milwaukee, Wisconsin; Dallas, Texas; Los Angeles, California; and Vancouver, Washington. In selecting these areas, the INS considered several factors including workload, geographic locations, immigrant population, and cost of living.
- ✓ The plan will remove Assistant District Directors for Adjudication from the District and Region chain of command. They will report directly to ISD headquarters.

- ✓ The ISD is developing a strategy to ensure that all operations and people are supported during the transition to the new structure.

More information on the restructuring plan can be found on the INS Website.



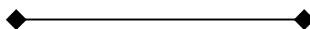
LIFE Act

The Associate Commissioner for Field Services Operations reported that INS has received more than 110,000 cases related to the LIFE Act (i.e., V, K, and Legalization). Approximately 80,000 of the cases are related to V visas. The ISD expects a sharp increase in the number of cases once the final rule is published in the Federal Register. In responding to a question about instances where Form I-539, (Application to Extend/Change Nonimmigrant Status) has been rejected, the Associate Commissioner reminded the group that forms received by the lockbox are scanned initially by contract staff. Scanning procedures allow for little variation but an INS representative is available on site to review rejected applications. If the INS representative cannot easily remedy the error on the form, the entire application packet and check are returned to the applicant's address. As the INS moves toward more automation, applications must be completed properly and conform to regulatory standards.

The Associate Commissioner told the group that the INS allows the inclusion of multiple applicants on Form I-539 when requesting a change of status to or an extension of stay in the V status. Also, Form I-765, Application for Employment Authorization) may be filed concurrently with Form I-539. However, the INS cannot grant employment authorization until the V status is granted. If questions arise, the point of contact for the LIFE program is the Missouri Service Center. The address in Missouri is:

Missouri Service Center
P.O. Box 648005
Lee's Summit, MO 64064

For more information on this topic, please see the LIFE Act page on the INS web.



Fee Increase

The final rule for the fee increase has cleared INS and the Department of Justice and it at the White House. The ISD expects publication in February 2002. The INS will accept postmark as proof of date applications are submitted with the old fee.



Naturalization Ceremonies

A question was posed on the timing of naturalization or swearing in ceremonies. The ISD responded that the timing of the ceremony varies from office to office. Small offices may be able to do ceremonies several times a year while large ones may have weekly if not daily ceremonies. A factor that impacts timing is whether districts can conduct administrative ceremonies or are required to have court ceremonies.

